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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,513	09/22/2000	Steven R. Treon	11014-6	1538

7590 06/03/2002

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Indianapolis, IN 46204-5137

EXAMINER

NELSON JR, MILTON

ART UNIT	PAPER NUMBER
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3636

DATE MAILED: 06/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/668,513

Applicant(s)  
Treon

Examiner  
Milton Nelson, Jr.

Art Unit  
3636



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Mar 5, 2002
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-11 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 6, 12-20, and 22 is/are rejected.
- 7) ☒ Claim(s) 3-5, 21, and 23-25 is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. Claims 1, 6, 15, 16, 18, 19 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In line 10 of claim 1, "said blind rabbits and said tabs" lack proper antecedent basis. In line 12 of claim 1, it appears that "said opening" should be "said openings". Clarification is requested. In line 11 of claim 6, "said tab" lacks proper antecedent basis. In line 12 of claim 6, "said blind rabbit" lacks proper antecedent basis. In line 10 of claim 15, "said tab" lacks proper antecedent basis. In lines 10-11 of claim 15, the recitation "a front and a rear elongated slots" is grammatically vague. In line 12 of claim 15, "said blind rabbits" lack proper antecedent basis. In claim 16, it is unclear if "a tab" and "a blind rabbit" are intended to be the same structure as previously set forth in claim 14, from which claim 16 depends. In claim 16, "said openings defined through said blind rabbits" lack proper antecedent basis. In claim 16, "said opening defined through said tabs" lacks proper antecedent basis. Also, it appears that "opening" should be "openings". In claim 19, "said support" lacks proper antecedent basis. Lines 18-19 of claim 22 are vague. It appears that these lines represent a method recitation within the body of the article claim. Clarification is requested.

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*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Lazaroff et al (4,244,621). Note the support (26), tab (34, as shown in Fig. 7), blind rabbet (between tabs in Fig. 7), two blind rabbets (laterally of member 36 in Fig. 8), fasteners (screws), and tab (38).
4. Claim 6, as best understood with the above cited indefiniteness, is rejected under 35 U.S.C. 102(b) as being anticipated by Lazaroff et al (4,244,621). In Figs. 7-9, note the first interlocking means (34), second interlocking means (opposite region that receives 34), fasteners (screws), tab (36), rib (38), and blind rabbet (46).
5. Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Karl et al (5,857,742). In Figs. 7-8, note the engagement members (230 and 136 or 138).
6. Claim 15, as best understood with the above cited indefiniteness, is rejected under 35 U.S.C. 102(b) as being anticipated by Duckett et al (3,531,157). Note the body member (12) and openings (27, 28).
7. Claim 20 is rejected under 35 U.S.C. 102(b) as being anticipated by Duckett et al (3,531,157). Note the support (10), seat modules (12), tab (22b), blind rabbet (under 22a), and fasteners (29).

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***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 13, 14 and 16-18, as best understood with the above cited indefiniteness, are rejected under 35 U.S.C. 103(a) as being unpatentable over Karl et al (5,857,742) in view of Kornbluth (3,116,090).

Karl et al shows all claimed structure of the instant invention with the exception of the recessed area.

Kornbluth conventionally teaches configuring a seat assembly with a recessed area (19) for an indicia bearing plate.

It would have been obvious to one having ordinary skill in the pertinent art at the time of the instant invention to modify Karl et al in view of Kornbluth by configuring the seat assembly with a recessed area. Such provides means for securing an indicia bearing plate for identifying the seat.

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***Allowable Subject Matter***

10. Claims 1, 19 and 22 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
11. Claims 3-5, 21, and 23-25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
12. Claims 7-11 are allowed.

***Response to Amendment/Arguments***

13. Applicant's response filed March 5, 2002 has been fully considered. Remaining issues are detailed in the above sections.

***Conclusion***

14. This office action has not been made final since it includes a new grounds of rejection (claim 2) not necessitated by Applicant's amendment.
15. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113 or the Customer Service representative whose telephone number is (703) 306-5771.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milton Nelson, Jr. whose telephone number is (703) 308-2117. The

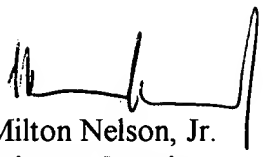
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examiner can normally be reached on Monday-Thursday from 5:30 AM-3:00 PM. The examiner can also be reached on alternate Fridays.

The fax number for this Group is (703) 305-7687.

mn

May 31, 2002



Milton Nelson, Jr.  
Primary Examiner